

<b>0010/PTO</b> Rev. 6/95  <b>U.S. Department of Commerce</b> Patent and Trademark Office  <b>DECLARATION FOR UTILITY OR DESIGN PATENT APPLICATION</b>  <input checked="" type="checkbox"/> Declaration Submitted with Initial Filing      OR <input type="checkbox"/> Declaration Submitted after Initial Filing	Attorney Docket Number	4926
	First Named Inventor	Peter Callas
	COMPLETE IF KNOWN	
	Application Number	
	Filing Date	
	Group Art Unit	
	Examiner Name	

As a below named inventor, I hereby declare that:  
My residence, post office address, and citizenship are as stated below next to my name.  
I believe I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural names are listed below) of the subject matter which is claimed and for which a patent is sought on the invention entitled:

**ENDOSCOPIC SURGICAL ACCESS PORT AND METHOD**

the specification of which (Title of the Invention)  
☒ is attached hereto  
OR  
☐ was filed on (MM/DD/YYYY) [ ] as United States Application Number or PCT International Application Number [ ] and was amended on (MM/DD/YYYY) [ ] (if applicable).  
I hereby state that I have reviewed and understand the contents of the above identified specification, including the claims, as amended by any amendment specifically referred to above.  
I acknowledge the duty to disclose information which is material to patentability as defined in Title 37 Code of Federal Regulations. § 1.56.

I hereby claim foreign priority benefits under Title 35, United States Code § 119 (a)-(d) or § 385(b) of any foreign application(s) for patent or inventor's certificate, or § 365 (a) of any PCT international application which designated at least one country other than the United States of America, listed below and have also identified below, by checking the box, any foreign application for patent or inventor's certificate, or of any PCT international application having a filing date before that of the application on which priority is claimed.


Prior Foreign Application Number(s)	Country	Foreign Filing Date (MM/DD/YYYY)	Priority	Certified Copy Attached?	
			Not Claimed	YES	NO
			<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
			<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
			<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
			<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
			<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

☐ Additional foreign application numbers are listed on a supplemental priority sheet attached hereto:

I hereby claim the benefit under Title 35, United States Code § 119(e) of any United States provisional application(s) listed below.

Application Number(s)	Filing Date (MM/DD/YYYY)	<input type="checkbox"/> Additional provisional application numbers are listed on a supplemental sheet attached hereto.

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DECLARATION				Page 2	
<p>I hereby claim the benefit under Title 35, United States Code § 120 of any United States application(s), or § 365(c) of any PCT international application designating the United States of America, listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States or PCT international application in the manner provided by the first paragraph of Title 35, United States Code § 112, I acknowledge the duty to disclose information which is material to patentability as defined in Title 37, Code of Federal Regulations § 1.56 which became available between the filing date of the prior application and the national or PCT international filing date of this application.</p>					
U.S. Parent Application Number	PCT Parent Number	Parent Filing Date (MM/DD/YYYY)	Parent Patent Number (if applicable)		
<input type="checkbox"/> Additional U.S. or PCT international application numbers are listed on a supplemental priority sheet attached hereto.					
<p>As a named inventor, I hereby appoint the following attorney(s) and/or agent(s) to prosecute this application and to transact all business in the Patent and Trademark Office connected therewith:</p>					
Name	Registration Number	Name	Registration Number		
Albert C. Smith	20,355	Dana S. Rao	43,875		
<input type="checkbox"/> Additional attorney(s) and/or agent(s) named on a supplemental sheet attached hereto.					
<p>Please direct all correspondence to:</p> <p style="text-align: center;"> <b>Albert C. Smith</b>  <b>Fenwick &amp; West LLP</b>  <b>Two Palo Alto Square</b>  <b>Palo Alto, CA 94306</b>  <b>U.S.A.</b> </p>					
Telephone	(650) 858-7296		Fax	(650) 494-1417	
<p>I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.</p>					
Name of Sole or First Inventor:		<input type="checkbox"/> A petition has been filed for this unsigned inventor			
Given Name	Peter	Middle Initial		Family Name	Callas
Inventor's Signature				Date	8/22/05
Residence: City	Redwood City	State	CA	Country	U.S.A.
Mailing Address	51 Broadway				
Mailing Address					
City	Redwood City	State	CA	Zip	94063
Country	U.S.A.				
<input checked="" type="checkbox"/> Additional inventors are being named on supplemental sheet(s) attached hereto					

005280-082500

DECLARATION					ADDITIONAL INVENTOR(S) Supplemental Sheet				
Name of Additional Joint Inventor, if any:					<input type="checkbox"/> A petition has been filed for this unsigned inventor				
Given Name	John	Middle Initial	P.	Family Name	Lunsford	Suffix	e.g. Jr.		
Inventor's Signature					Date	8-23-00			
Residence: City	San Carlos	State	CA	Country	U.S.A.	Citizenship	U.S.A.		
Mailing Address	123 Leslie Drive								
Mailing Address									
City	San Carlos	State	CA	Zip	94070	Country	U.S.A.		
Name of Additional Joint Inventor, if any:					<input type="checkbox"/> A petition has been filed for this unsigned inventor				
Given Name	Albert	Middle Initial	K.	Family Name	Chin	Suffix	e.g. Jr.		
Inventor's Signature					Date	8-21-00			
Residence: City	Palo Alto	State	CA	Country	U.S.A.	Citizenship	U.S.A.		
Mailing Address	2021 Newell Road								
Mailing Address									
City	Palo Alto	State	CA	Zip		Country	U.S.A.		
Name of Additional Joint Inventor, if any:					<input type="checkbox"/> A petition has been filed for this unsigned inventor				
Given Name	Michael	Middle Initial		Family Name	Wei	Suffix	e.g. Jr.		
Inventor's Signature					Date	8/22/00			
Residence: City	San Mateo	State	CA	Country	U.S.A.	Citizenship	U.S.A.		
Mailing Address	177 N. El Camino Real, #18								
Mailing Address									
City	San Mateo	State	CA	Zip	94401	Country	U.S.A.		
Name of Additional Joint Inventor, if any:					<input type="checkbox"/> A petition has been filed for this unsigned inventor				
Given Name		Middle Initial		Family Name		Suffix	e.g. Jr.		
Inventor's Signature					Date				
Residence: City		State		Country		Citizenship			
Mailing Address									
Mailing Address									
City		State		Zip		Country			
<input type="checkbox"/> Additional inventors are being named on supplemental sheet(s) attached hereto									